

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.


RICK A. BENAVIDES

Defendant(s)

Case No. SA19-MJ-209

FILED

FEB 21 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of FEBRUARY 20, 2019 in the county of BEXAR in the
WESTERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

18/2422(b)

Attempted to persuade, induce, entice, or coerce an individual who had not attained the age of 18 years to engage in any sexual activity.

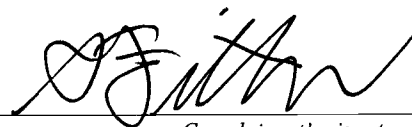
10 years to life imprisonment; 250,000 fine; 100 special assessment; 5,000 special assessment

This criminal complaint is based on these facts:

☐ Continued on the attached sheet.

- ☒
- Sworn to before me and signed in my presence.
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- ☐
- Sworn to telephonically and signed electronically.

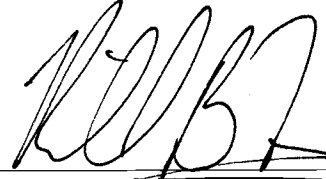
Date:

02/21/2019City and state: SAN ANTONIO, TX

Complainant's signature

SHAHNAZ FITTER, SA, AFOSI

Printed name and title



Judge's signature

RICHARD B. FARRER, US MAGISTRATE JUDGE

Printed name and title

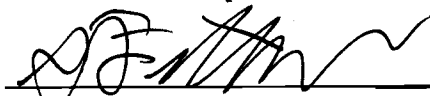
**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Shahnaz Fitter, being duly sworn do hereby depose and state:

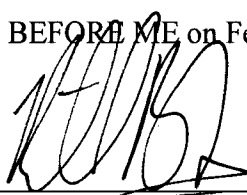
1. That your affiant is currently employed as a Special Agent (SA) with the Air Force Office of Special Investigations and has been so employed since 2018. Since 2018, your affiant has participated in investigations concerning United States military members and personnel who have a nexus to the Department of Defense. As part of your affiant's training and experience, your affiant knows that it is unlawful for any person to persuade, induce, entice, or coerce any individual who has not attained the age of 18 years to engage in any sexual activity for which any person can be charged, or attempted to do so, in violation of Title 18, United States Code Section 2422(b).
2. On February 20, 2019, your affiant was informed by AFOSI SA Jason Hutchings regarding **Rick A. BENAVIDES**. SA Hutchings has been employed by AFOSI since 2012 and received certification as an undercover agent authorized to conduct Internet Crimes Against Children (ICAC) operations on February 24, 2016. SA Hutchings created a fictitious online persona, posing as a 14 year old female. On February 11, 2019, SA Hutchings made a post in a mobile application that stated "Visiting my brother on Lackland AFB! Hmu (two happy face emojis)." On February 11, 2019, an individual with the screen name "Man of Solitude" responded to the post ("Man of Solitude" never asked for the persona's name and the persona never provided a name but will be referred to as "the child" in this affidavit). "Man of Solitude" told the child he was a contractor that worked for the government (later discovered he worked on Port Authority San Antonio, as a Department of Defense (DoD) contractor). The child informed "Man of Solitude" that she was on base for her brother's graduation. "Man of Solitude" continued to chat with the child and stated he was 45 years old. The child sent **Benavides** her cell phone number and they switched from the mobile application to text messaging. "Man of Solitude" provided enough personal information to allow federal agents to positively identify him as Rick A. **Benavides**. The Department of Defense (DoD) Person Search (DPS) database disclosed **Benavides** was a 45 year old Department of Defense (DoD) contractor.

3. **Benavides** told the child he was chatting with her while at work. Further investigative effort revealed **Benavides** worked at the Defense Logistics Agency, Port Authority San Antonio (adjacent to Joint Base San Antonio-Lackland). **Benavides** communicated with the child while at his place of work and while he was on Joint Base San Antonio-Lackland (Exclusive Federal Jurisdiction). **Benavides** requested the child to send a naked photograph of her full body. **Benavides** stated multiple times through the chat conversation he wanted to engage in sexual acts with the child, including oral sex and intercourse. **Benavides** expressed he knew it was illegal to conduct these sexual activities, based on the child's age and stated he had a lot to lose. **Benavides** indicated in the chats that he planned to meet with the child on February 20, 2019 on JB-SA-Lackland, pick her up, and conduct the aforementioned sexual acts in **Benavides'** truck.
4. As planned by **Benavides**, during the chat with the child, **Benavides** used his official Department of Defense issued identification card to access Joint Base San Antonio-Lackland (Exclusive Federal Jurisdiction) and attempted to meet the child. AFOSI agents arrested **Benavides** in the evening of February 20, 2019 when **Benavides** arrived at Lyons Park on JB-SA-Lackland, TX (prearranged meet location).
5. AFOSI agents conducted a search of **Benavides's** vehicle subsequent to his arrest. The following items were seized: Two pills marked as "T-27" (which corresponded to erectile dysfunction medication); one Samsung Galaxy Note 9 cellphone with an additional SIM card taped to the phone case; and 2 micro SD cards with 2 SD adapters.
6. Based on the above facts, your affiant believes there is probable cause that **Rick A. BENAVIDES**, did knowingly persuade, induce, entice, or coerce an individual who had not attained the age of 18 years to engage any sexual activity for which any person can be charged, or attempted to do so, in violation of Title 18, United States Code Section 2422(b).



Special Agent Shahnaz Fitter
Air Force Office of Special Investigations

SUBSCRIBED AND SWORN TO BEFORE ME on February 21, 2019.

A handwritten signature in black ink, appearing to read 'R. B. Farrer', written over a horizontal line.

Honorable Richard B. Farrer
United States Magistrate Judge
Western District of Texas